

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

KATHERINE PAMPENA,)	
)	
Plaintiff,)	
)	2:05cv567
vs.)	Electronic Filing
)	
COMMISSIONER OF)	
SOCIAL SECURITY,)	Judge Cercone
)	Magistrate Judge Caiazza
Defendant.)	

MEMORANDUM ORDER

On May 10, 2005, this case was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On February 28, 2006, the magistrate judge issued a Report (Document No. 12) recommending that the District Court grant the Plaintiff's Motion for Summary Judgment (Document 8), deny the Defendant's Motion for Summary Judgment (Document No. 10), and remand this case for further administrative proceedings.

Service of the Report and Recommendation was made on the parties, and no objections have been filed. After a review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

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AND NOW, on this 29 day of March, 2006,

IT IS ORDERED that the Plaintiff's Motion for Summary Judgment (Document No. 8) is **GRANTED**, the Defendant's Motion for Summary Judgment (Document No.10) is **DENIED**, and this case is **REMANDED FORTHWITH** to the Commissioner of Social Security for further administrative proceedings as consistent with the magistrate judge's Report and Recommendation.

The Report and Recommendation of Magistrate Judge Caiazza dated February 28, 2006, is hereby adopted as the opinion of the court.



David Stewart Cercone
United States District Judge

cc: Honorable Francis X. Caiazza
United States Magistrate Judge

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